

**SECTION C - DESCRIPTION/SPECIFICATIONS/WORK STATEMENT****C.1 STATEMENT OF WORK/SPECIFICATIONS**

The Contractor shall furnish the necessary personnel, material, equipment, services, and facilities (except as otherwise specified), to perform the following Statement of Work/Specifications.

**C.2 BACKGROUND**

**C.2.1** The U.S. Patent Classification System (USPCS), established within the Patent and Trademark Office (PTO), is a systematic numeric arrangement or subdivision of all scientific and technical information expressed by the prior art to facilitate the retrieval of U.S. and foreign patents and non-patent literature (NPL). The system is comprised of approximately 420 classes which are further subdivided into about 130,000 subclasses.

**C.2.2** The USPCS takes the physical form of two search files. The Public Search File (PSF) is located in the Public Search Room (PSR) and contains copies of U.S. patents arranged in official classifications and cross-reference art collections. The Examiner Search File (ESF) is divided into approximately 188 art units located in Examiner Search Rooms (ESR) in multiple buildings within the Crystal City complex. These search files currently contain U.S. patents, foreign patent documents, and non-patent literature and are arranged in official and alpha subclasses, cross-reference art collections, digests, and other special collections.

**C.2.3** The PTO is responsible for the accessibility, accuracy, and integrity of the approximately 50 million copies of patent-related documents stored in the PSF and ESF. Continual maintenance of these files and upgrading of the USPCS provide for quality examination of patent applications.

**C.2.4** The Patent Examining Corps, comprising approximately 2,380 Patent Examiners, presently is divided into six (6) Technology Centers (Tech Centers) which specialize in distinct technologies. These include a Security Group and a Design Group, which are combined administratively. The Corps is responsible for examination of all patent applications which are examined under Title 25 of the U.S. Code. During the examination of an application, the examiner removes selected material from the ESF. Refiling of the removed material constitutes the bulk of reference filing activities.

**C.2.5** Control and maintenance of patent application files is a critical activity in the Patent Examining Groups. All documents pertaining to an application must be promptly associated with the appropriate file to insure the examiner has available all pertinent information. In addition, the ability to locate and retrieve needed application files is mandatory if patent applications are to receive timely examination.

**C.2.6** As part of the examination process, examiners mail office actions to applicants or their representatives. Copies of references are included in office actions, which must be mailed out within strict statutory time limits.

**C.2.7** The U.S. is party to the Patent Cooperation Treaty (PCT). Under the terms of this Treaty, the PTO processes International Applications and National Stage Applications entering the U.S. patent system. Maintenance and control of these files and copying of application documents are key activities in the processing of PCT applications.

application documents are key activities in the processing of PCT applications.

### **C.3 SCOPE OF WORK**

The PTO requires the Contractor to provide all necessary management, supervision, personnel, and equipment, except as otherwise indicated, for clerical support services in the Office of Classification Support and the Patent Cost Center located in multiple buildings within the Crystal City complex. The services in support of patent examining and classification processing include the following tasks.

#### **C.3.1 REFERENCE FILING**

Reference Filing involves filing of new materials into the ESF and sorting and refiling of materials removed from these files. The Contractor shall promptly and accurately perform this task to ensure the completeness and integrity of this critical search tool. (See Section J, exhibit 1, Corps Refiling, for a graph of historical filing data.)

#### **C.3.2 EXAMINER SEARCH ROOM MAINTENANCE**

The Contractor shall identify deficient conditions, label shoe drawers, physically rearrange materials within existing storage space (i.e., "mini-expansions"), and perform other actions as necessary to ensure the satisfactory physical condition of the ESRs. The Contractor shall report deficient conditions of the ESF to the COTR. This action is essential and may result in the initiation of File Expansion or Quality Improvement projects for selected portions of the file.

#### **C.3.3 SEARCH FILE EXPANSION**

The Contractor shall shift ESF materials into newly acquired space and/or shoeboxes. The process also may include the redistribution of file materials within existing shoeboxes in order to maintain the files in proper numeric classification sequence. The new and old shoeboxes must be properly labeled to allow for easy identification of their contents.

#### **C.3.4 RECLASSIFICATION**

Reclassification involves the creation of a new or expanded set of classifications which properly reflect the current inventive trend in a particular subject area. This new set of classifications replaces the existing classifications. A Reclassification Project may range in size from 250 to 100,000 or more U.S. patent copies and varies greatly in the quantity and complexity of processing required. The Contractor shall be involved in several phases of clerical processing both before and after professional reclassification by a PTO Patent Classifier. The Contractor shall perform the following phases of clerical processing:

##### **C.3.4.1 Preprocessing**

The Government will provide data identifying a Reclassification Project. The Contractor shall pick up and process the PSF set of documents in preparation for classifier review. The Contractor shall identify and separate

a single copy of each unique U.S. patent within the project scope. The Contractor shall attach a cover worksheet (coversheet) to each unique patent copy. After this process, the work is inspected by the Government. After acceptance, the Contractor shall deliver the project to the project classifier. The Contractor shall store the unused (i.e., surplus) patents for use in a later phase of processing.

#### **C.3.4.2 Data Capture**

The Contractor shall key and validate data from either the patents or computer-generated listing(s). After the data is inspected and accepted by the Government, the Contractor shall return the patents (in patent number sequence) to the Government. The captured and validated data is used to update the Master Classification File (MCF).

#### **C.3.4.3 Final Processing**

Final Processing involves processing of PSF and ESF copies. During Final Processing, the Contractor shall insure the presence, quality, and completeness of patent copies needed to complete each set of documents in the new classification array; attach new classification labels to the patent copies; and sort the labeled patents into the new classification sequence. After the work is inspected and accepted by the Government, the Contractor shall deliver each completed set to a designated location where it shall be installed in accordance with Government instructions.

### **C.3.5 SEARCH FILE QUALITY IMPROVEMENT**

Search File Quality Improvement (SFQI) ensures that the PSF and ESF are a complete and accurate representation of the official classification data recorded on the MCF and also may involve the physical restoration of the contents of these files. SFQI is accomplished under the following tasks.

#### **C.3.5.1 Inventory**

The Contractor shall perform inventories which involve the physical comparison of the actual contents of the ESF with the records maintained on the MCF. The Contractor shall remove error documents.

#### **C.3.5.2 File Integrity**

The Contractor shall relabel and quality check documents from both the ESR and PSR sets of patents. The Contractor shall determine and correct discrepancies between the two sets of documents, remove error documents, and, where possible, mend bad copies.

### **C.3.6 LOCATING PATENT COPIES**

Locating Patent Copies provides patent copies as needed to complete project processing or as requested by the Government.

#### **C.3.6.1 FROM THE SEARCH FILE (CLIN 9a)**

The contractor shall locate needed patent documents in the paper search file and reproduce one copy of each such patent.

#### **C.3.6.2 FROM THE AUTOMATED PATENT SEARCH SYSTEM (APS) (CLIN 9b)**

The contractor shall utilize the APS system and the associated high-speed printer to generate needed patent copies.

#### **C.3.7 U.S. PATENT REPRODUCTION**

The Contractor shall copy U.S. patent documents or other materials needed to complete Reclassification or SFQI processing or other work ordered by the Government to ensure the integrity of the paper or automated search files.

#### **C.3.8 FOREIGN PATENT REPRODUCTION**

The Contractor shall copy selected foreign patent documents or other materials as requested by the Government.

#### **C.3.9 REFERENCE COPYING**

The Contractor shall reproduce documents for inclusion in patent application files and office actions mailed to patent applicants or their representatives.

#### **C.3.10 DOCUMENT MAILING**

The contractor shall mail office actions, fee notices, and other documents to patent applicants, their representatives, or international patenting authorities.

##### **C.3.10.1 RESERVED**

##### **C.3.10.2 PCT DOCUMENTS (CLIN 13r)**

The contractor shall perform such tasks as generating addresses from the PALM system, date stamping forms, assembling documents, inserting documents into envelopes, and placing envelopes in the appropriate location for pickup.

#### **C.3.11 APPLICATION FILE RETRIEVAL**

The Contractor shall associate documents pertaining to patent applications with the appropriate application file ("file wrapper"). This is accomplished by locating the file wrapper in a central storage area, inserting the documents, and delivering the file wrapper to a designated location.

#### **C.3.12 MAINTENANCE OF APPLICATION FILE STORAGE AREAS**

The Contractor shall maintain the application file storage areas in each Examining Group by refileing, shifting, and inventorying application files and performing other housekeeping functions as necessary to insure the orderly state of the storage areas.

#### **C.3.13 PCT COPYING**

The contractor shall reproduce various documents for use by the PCT International Division and shall sort and otherwise process these copies.

##### **C.3.13.1 REPRODUCTION (CLIN 16a)**

The contractor shall provide and operate reproduction equipment in order to reproduce documents as required.

**C.3.13.2 COPY ASSEMBLY (CLIN 16b)**

The contractor shall sort, staple, stamp, insert in envelopes, or otherwise process reproduced copies as directed by the Government.

**C.3.14 PCT FILE ROOM MAINTENANCE**

The Contractor shall maintain a controlled file room housed in locations throughout the Patent Office. This function includes establishing new files, placing documents in the appropriate files, retrieving files upon request, insuring the organization of the file room and its contents, entering file locations into the PALM system, and performing other housekeeping functions as necessary to insure the orderly state of the storage area.

**C.3.14.1 PCT FILE ROOM**

The Contractor shall maintain the PCT International Division's file room in which national and international patent applications and related files are housed.

**C.3.14.2 ONAR FILE ROOM**

The Contractor shall maintain the Office of National Application Review's (ONAR) file room in which patent applications and related files are housed.

**C.3.15 RESERVED**

**C.3.16 INITIAL APPLICATION PROCESSING**

The contractor shall perform a variety of processing steps required to review newly received application materials and prepare them for examination.

**C.3.16.1 OIPE DOCUMENT SORTING AND ROUTING (CLIN 21a)**

The contractor shall open, date, review, route, and sort all materials delivered to OIPE by the mail room or to the Customer Services window.

**C.3.16.2 PCT DOCUMENT SORTING AND ROUTING (CLIN 21b)**

The contractor shall open, date, review, route, and sort all materials delivered to PCT by the mail room.

**C.3.16.3 OIPE FILE ASSEMBLY (CLIN 21c)**

The contractor shall create new patent application files by assembling documents, determining the type of application file required, affixing monarch and other labels, assigning serial numbers, activating serial numbers in the PALM system, mailing post cards to applicants, and inserting documents into the file jacket.

**C.3.16.4 PCT FILE ASSEMBLY (CLIN 21d)**

The contractor shall create new patent application files by assembling documents, determining the number and type of application files required, affixing bar code and other labels, assigning serial numbers, activating serial numbers in the PALM system, endorsing application papers, and inserting documents into the file jacket(s).

**C.3.16.5 FINANCIAL DATA CAPTURE (CLIN 21e)**

The contractor shall key fee and other data into the RAM system for application-related documents and new applications.

**C.3.16.6 BIBLIOGRAPHIC DATA CAPTURE (CLIN 21f)**

For each newly filed application received in PCT, the contractor shall key bibliographic data obtained from application documents. This function requires locating the appropriate information in various documents and keying it into an automated system.

**C.3.17 DOCUMENT RECEIPT AND MAILING (CLIN 22)**

The contractor shall sort, route, and deliver all applications, application-related documents, and other materials delivered to a Tech Center's mail receipt area or received via fax machine; shall pickup and deliver applications and related documents throughout the PTO; and shall process and mail official office actions.

**C.4 PERSONNEL**

**C.4.1** The Contractor shall provide all necessary management, supervision, personnel, and labor that are required to perform the work. The Contractor shall designate an individual as Project Manager who shall be responsible for ensuring acceptable performance of all assigned tasks. The Project Manager shall have full authority to act for the Contractor and shall spend 100 percent of his/her time during duty hours on work to be performed under this contract.

**C.4.2** Except for reasons beyond the control of the Contractor, substitute personnel shall not be assigned to key positions without prior approval of the Contracting Officer (CO). Key personnel are defined as the Project Manager and all supervisory personnel. Emergency assignments of key personnel subsequently must be approved by the CO. A non-emergency key assignment request must be submitted to the CO, with an information copy to the Contracting Officer's Technical Representative (COTR), no less than 2 weeks prior to the effective date of the proposed assignment.

**C.4.3** The Project Manager or a designated representative shall be available to meet with the COTR or her designated representative to discuss problems as they arise. The Project Manager or representative shall respond within 4 work hours after receiving notification that such a meeting is required. The Contractor shall provide the telephone number of the person(s) to call should the need arise.

**C.4.4** The Contractor's personnel shall be familiar with procedures for processing patent documents. The Government will provide training, not to

exceed 80 hours of Government staff time, for the Contractor's key personnel during the initial stages of the Contract. Prior to startup of any optional requirements, the Government will provide up to an additional 40 hours of training for key personnel.

The Contractor shall be responsible for proposing a training plan and a schedule which will provide for proper instruction of key personnel. The Contractor also shall present a plan and schedule for training of all additional personnel, including all people hired during the lifetime of this contract, who will be performing the work. (See Section H.8.)

**C.4.5** The Contractor's personnel must be readily recognizable as such while in PTO and Department of Commerce (DOC) facilities.

The Contractor shall provide the COTR with a list of employees authorized to work at the PTO facilities. The PTO will provide the Contractor's personnel with PTO identification badges.

Further, the Contractor shall be responsible for acquiring an appropriate number of company badges at his/her own expense. It is mandatory for the Contractor's personnel to wear both the company badge (which clearly indicates the company name, the employee's name, and the employee's picture) and the PTO identification badge at all times while in PTO and DOC facilities. All PTO identification badges must be returned to the COTR or designee upon separation of an employee or upon termination of this Contract.

**C.4.6** All Contractor personnel shall be required, at the time of employment, to sign a Statement of Confidentiality. Contractor personnel are specifically prohibited from removing documents from PTO facilities except for official purposes. In addition, Contractor personnel shall not discuss any information seen, heard, or otherwise learned while on PTO premises or working with PTO materials.

**C.4.7** All Contractor personnel working on this contract will be subject to a suitability investigation by the Government. Any adverse information discovered during this investigation may be cause for removal.

## **C.5 WORKDAYS AND EXCEPTIONS**

**C.5.1** On regular work days, the Contractor shall perform Reference Filing, Examiner Search Room Maintenance, File Inventory, Locating Patent Copies, and Foreign Patent Reproduction work, and Application Receipt Processing work; and Reclassification and File Integrity project returns; and Walk Up Service between the hours of 7:00 a.m. and 5:30 p.m. on PTO premises. Reference Copying, Document Mailing, Application File Retrieval, Maintenance of Application File Storage Areas, and PCT Copying work shall be performed during the hours of 7:00 a.m. to 4:00 p.m. on PTO premises. The Contractor shall perform the PCT and ONAR File Room Maintenance function on PTO premises daily during the hours of 6:30 a.m. to 6:00 p.m. As required by the Government, PCT and ONAR File Room Maintenance also may be performed daily during the hours of 6:00 p.m. to 8:00 p.m. and on non-scheduled work-days during the hours of 6:30 a.m. to 5:00 p.m. Initial Application Processing shall be performed between the hours of 6:30 a.m. and 6:00 p.m.; support for the OIPE Customer Service window shall be provided from 8:30 a.m. until midnight.

**C.5.2** The Contractor may be required to perform certain types of Search Room Maintenance and File Quality Improvement Work from 5:30 p.m. to 11:30 p.m. on regular work days. File Expansion Projects normally shall be performed on a second shift during the hours of 3:00 p.m. and 11:30 p.m.; approval to perform Expansion Projects between the hours of 7:30 p.m. and 5:00 p.m. must be obtained in advance from the COTR or her designee. In addition, the Contractor shall have

access to the Temporary Search Room between the hours of 8:30 a.m. and 5:00 p.m. on regular work days.

**C.5.3** With the exceptions noted in the preceding sections 5.1 and 5.2, the Contractor shall not be permitted on the PTO premises during PTO security hours (5:30 p.m. to 7:30 a.m.) or on weekends or on Federal holidays or their equivalent except by prior approval of the COTR. To receive approval, the Contractor must submit a request in writing which lists, as a minimum, why the work cannot be accomplished during regular hours, the names of the individuals who will be working, and the area(s) where work will be performed. During all non-regular work periods, when the Contractor or his/her personnel have approval to work on the PTO premises, a Government Representative must be present in the area. The Government will not guarantee the availability of heating or cooling of the work space or other administrative services during non-regular work periods.

**C.5.4** Work shall not be required of the Contractor when Federal employees are released from work early because of inclement weather conditions, on Federal excused days (e.g., Inauguration Day), or on the following Federal holidays (nor on holidays observed in lieu thereof):

New Year's Day	Labor Day
Martin Luther King, Jr. Day	Columbus Day
President's Day	Veterans Day
Memorial Day	Thanksgiving Day
Independence Day	Christmas Day.

The COTR will notify the Contractor when early release of Federal employees has been authorized.

## **C.6 PREMISES AND SUPPLIES**

### **C.6.1 PREMISES**

**C.6.1.1** The Contractor shall perform Reclassification and Search File Quality Improvement work in facilities provided by the Government. The premises will have sufficient space for the Contractor's personnel, the patents of all projects being processed, the surplus patent copies being stored, necessary copying equipment, and the labeled PSF sets awaiting transfer to the Temporary Search Room. The Contractor shall insure that work space (e.g., tables) is made available to the Government for use during inspections as needed.

**C.6.1.2** The Government will provide on-site facilities for sorting and batching materials prior to refiling in the ESF. These sort rooms will be provided throughout the Tech Centers as space permits and are subject to change as required to accommodate the needs of the Center. The Government also will provide on-site space to accommodate the PCT Copying facilities including needed work tables, shelves, etc.; the contractor shall provide copying equipment. The Government will provide space, equipment, and supplies in support of the Walkup Copy Service. Space (including work tables, shelves, etc.) for a minimum of one copy center in each PTO building where examiners are located will be provided by the Government in support of the Reference Copying function; the Government shall provide space in each Examining Group, including needed work tables, shelves, etc., to support the Document Mailing and Application File Retrieval functions. PCT and ONAR File

Room Maintenance and Maintenance of Application File Storage Area work shall be performed in the PTO space designated for these functions.

**C.6.1.3** Special facilities for the personal belongings of contract employees shall not be provided. Government owned telephones shall be available to the Contractor for use in communicating with the COTR and between Contractor sites on or off the PTO premises; these telephones are not to be used for personal calls by Contractor employees. Space on the PTO premises for administrative and management purposes and/or file improvement or data capture work may be made available subject to availability.

## **C.6.2 SUPPLIES**

**C.6.2.1** Supplies purchased by the Contractor for which payment is received from the Government pursuant to this contract shall be used exclusively for the accomplishment of work under this contract and not for any other purpose.

**C.6.2.2** The Contractor shall be responsible for ordering all supplies and materials not provided by the Government. Orders shall be placed in a manner which allows for timely delivery and ensures continuity of services. The Contractor shall be authorized to use the General Services Administration (GSA) Schedule to purchase supplies used in support of this contract.

## **C.7 WORK REQUIREMENTS**

### **C.7.1 REFERENCE FILING (CLIN 1)**

**C.7.1.1** Reference Filing has as its objective the daily filing of documents into the Patent Examiners' classified search file in each of the 6 Technology Centers (Tech Centers). Specific activities include but are not limited to gathering, sorting, and refiling of U.S. and foreign patent documents and NPL removed from the ESF for review as well as the initial filing of newly received U.S. and foreign patent documents.

**C.7.1.2** The COTR or her designee will identify a representative within each Technology Center who will provide day to-day interface between the Technology Center and the Contractor. (The Group Representative is one of several designated Government Representatives referred to in this section.)

**C.7.1.3** The Government will provide the Contractor a "Classes Arranged Numerically with Art Unit and Search Room Locations" report (see Section J, exhibit 3) which contains information regarding the location of each valid classification within the ESF. The Contractor shall, within 1 workday, report to the COTR or her designee any discrepancies between the report information and actual search room and/or classification locations.

**C.7.1.4** Within each Technology Center, there will be at least one location designated by the Government where documents to be filed in the ESF will be placed. At least once each work day, the Contractor shall pick up documents to be filed from each designated location and shall record the date and time of document removal on the Contractor's Daily Log Sheet--Reference

Filing report form (see Section J, exhibit 4) provided by the Government for that purpose. The completed log sheets will be collected by the Government Representative at the end of each biweek.

**C.7.1.5** The Contractor shall sort by class/subclass all documents retrieved from the refiling drop locations and shall count and batch the documents in bundles of approximately 75 patents by class/subclass. A Contractor's Individual Batch Sheet--Reference Filing report form (Section J, exhibit 5) shall be completed by the Contractor for each such batch.

**C.7.1.6** While sorting and batching documents to be filed, the Contractor shall remove any document which is torn or whose label is missing or illegible or whose classification data is handwritten on the document. The Contractor shall attach a note to each such document indicating the location where it was found. These documents shall be batched, counted, and returned to the COTR or her designee on a weekly basis. The weekly count of such documents handled shall be provided to the Government in conjunction with the count of documents filed. In addition, any miscellaneous materials (e.g., individual patent pages, soft copies of patents, application documents, etc.) found during the sorting process shall be promptly returned to the Representative in the Group from where the materials were removed.

**C.7.1.7** In accordance with the standards outlined in section C.9.2, the Contractor shall file each document in the appropriate location (i.e., in the classification indicated on the document's label) within 8 work hours of the pickup time noted on the log sheet. If the Contractor is unable to find a classification by utilizing the location information supplied by the Government, the Contractor shall make every effort to find the classification location including, but not limited to, talking to the Group Representative, examiners, and Supervisory Primary Examiner (SPE); contacting the COTR; and physically walking through PTO space. The Contractor shall return unfiled documents to the Government only after all possibilities have been investigated.

**C.7.1.8** The Contractor shall provide to the designated Government Representative daily counts of documents refiled in each Group and the number of batches of documents refiled in each Group. The Contractor shall use the Daily Group Batch Sheet--Reference Filing report form (see Section J, exhibit 6).

**C.7.1.9** The Government will inspect the Contractor's work in accordance with the Inspection and Acceptance plan set forth in Section E.

## **C.7.2 EXAMINER SEARCH ROOM MAINTENANCE (CLIN 2)**

**C.7.2.1** Examiner Search Room Maintenance has as its objective the daily maintenance of the physical facilities (i.e., the ESR) in which the Examiners' classified search file is housed. Activities which the Contractor shall perform include, but are not limited to, physically rearranging selected portions of the search file; replacing missing, damaged, or inaccurate shoe labels; returning shoe drawers to the appropriate shoe cases; and taking other actions as necessary to maintain the search rooms in accordance with the standards set forth in section C.9.2.

**C.7.2.2** At least once each biweek, the Contractor shall survey each ESR to determine if portions of the search file fail to meet the standards of section C.9.2. Within 2 work days of each such survey, the Contractor's